



John

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 5291**
Mie TAKAHASHI et al. : Docket No. 2001-1464A
Serial No. 09/937,730 : Group Art Unit 1641
Filed January 8, 2002 : Examiner Gary W. Counts
CHROMATOGRAPHY SPECIMEN AND
ITS MANUFACTURING METHOD :

REQUEST FOR EXAMINER-INITIALED PTO-1449 FORM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

Sir:

The Examiner has not considered four of the references (references "AJ"- "AM") cited on the Information Disclosure Statement (IDS) filed September 28, 2001, stating that the IDS fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP §609 because there are no English translations of the references. However, the IDS does comply with the provisions of 37 CFR 1.97, 1.98 and MPEP §609 since the Japanese references cited on the IDS were cited in the International Search Report (ISR). An English language version of the ISR was submitted to the PTO, as evidenced by the PTO date-stamped September 28, 2001 postcard and the Notice of Acceptance, mailed on January 17, 2002, copies of which are enclosed. For the Examiner's convenience, a copy of the ISR, originally submitted on September 28, 2001, is also submitted herewith.

MPEP §609, II states that the Examiner is required to consider the documents cited in the International Search Report in a PCT national stage application when the Form PCT/DO/EO/903 [Notice of Acceptance] indicates that both the International Search Report and the copies of the documents are present in the national stage file. The Notice of Acceptance for this application clearly

indicates that the International Search Report and the documents cited therein were received by the PTO.

Additionally, the MPEP requires each IDS to include a concise explanation of the relevance of each reference not in the English language. MPEP §609, III(A)(3) states that when the information listed is not in the English language, but was cited in a search report by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance is satisfied by submitting an English-language version of the search report which indicates the degree of relevance found by the foreign office. The PTO date-stamped postcard of September 28, 2001 indicates that an English language version of the International Search Report was filed with the PTO.

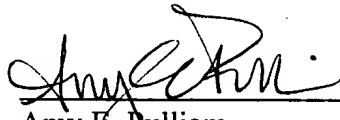
Additionally, Applicants note that the Japanese references referred to above correspond to the European references, cited on the IDS filed January 8, 2002, and which have already been considered by the Examiner.

For the above reasons, the Examiner is kindly requested to consider each of the references on the attached PTO-1449 form and return the initialed form to Applicants' representative.

Respectfully submitted,

Mie TAKAHASHI et al.

By:



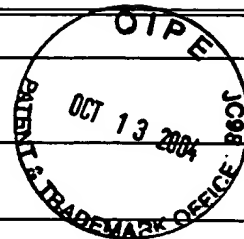
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October 13, 2004

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Originally Submitted to PTO: September 28, 2001

ATTY DOCKET NO.
2001-1464ASERIAL NO.
09/937,730APPLICANT
Mie TAKAHASHI et al.FILING DATE
September 28, 2001GROUP
1641

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	AJ	3-120468	5/1991	JAPAN				
	AK	3-120469	5/1991	JAPAN				
	AL	3-120470	5/1991	JAPAN				
	AM	11-64336	3/1999	JAPAN				
	AN							

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	
	AP	
	AQ	

EXAMINER

DATE CONSIDERED



COPY

ATTY DOCKET # 2001_1464A
OUR REF: [2001_1464A/MRD/01489]

Due Date: October 4, 2001

Applicant Mie TAKAHASHI et al.

Serial No. NEW Filing Date September 28, 2001

Title CHROMATOGRAPHY SPECIMEN AND ITS MANUFACTURING METHOD

Receipt of the following papers is acknowledged:

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 USC 371 (National stage application of PCT/JP01/00784)
2. Translation of International Application (43 pages) with 5 sheets drawings (A4P, Figs. 1-8)
3. UNEXECUTED Declaration and Power of Attorney
4. Information Disclosure Statement and form PTO-1449
5. Preliminary Amendment (10 pages) with Version With Markings To Show Changes Made
6. Attachments: (a) Forms PCT/IB/301, 304 and 308; (b) First page of published International Application with International Search Report in Japanese and English; and (c) Letter Concerning Spelling of Inventor's Name.
7. Check in the amount of 1634.00

JC11 Rec'd PCT/PTO SEP 28 2001
09/937730

Date September 28, 2001

Attorney MRD/ach

[Check No. 46738]